IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

WP(C).No. 19552 of 2007(C)

PETITIONER:

K.PONNAYAN NADAR,
SUKH BHAVAN, KUNJUKONAM,
PROPRIETOR, KKP FURNITURE MART,
THANNIMOOD P.O., THIRUVANANTHAPURAM 695123.

BY ADV. SRI.SUMAN CHAKRAVARTHY

RESPONDENTS:
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1. THE GENERAL MANAGER,
THIRUVANANTHAPURAM DIST. CO-OPERATIVE BANK,
THIRUVANANTHAPURAM.

2. THE AUTHORIZED OFFICER,
THIRUVANANTHAPURAM DIST. CO-OPERATIVE BANK,
THIRUVANANTHAPURAM.

3. THE GENERAL MANAGER,
DIST. INDUSTRIES CENTRE,
THIRUVANANTHAPURAM.

4. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY, DEPT. OF FINANCE,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

R1 BY ADV. SHRI T.R. HARIKUMAR, SC.
R4 BY GOVERNMENT PLEADER (SHRI MOHAMMED ANZAR)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 19552 OF 2007 C

Dated this the 28th June, 2007

JUDGMENT

Petitioner availed a loan. It is not repaid. Recovery steps have been taken. Petitioner challenges Exts.P5 and P7 and seeks a direction to consider Ext.P6 and also the fact that the Unit is registered as "Sick". Petitioner also points out that his daughter's marriage is to take place in *Chingam* of 2007. Heard the learned counsel appearing for the respondent Bank also. He would submit that the petitioner can claim the benefit under Circular No.30/07 if he is entitled to. But, he must make an application claiming the said benefit in which case the same will be considered. In such circumstances, the Writ Petition is disposed of as follows:

If the petitioner makes an application praying for the benefit under Circular No.30/07 within three weeks from today, a decision will be taken on the same by the first respondent Bank in accordance with law, giving such benefits as the

petitioner is entitled to, within a period of one month from the date of receipt of the application. In the meantime, the impugned proceedings will be kept in abeyance till a decision is taken and communicated to the petitioner.

K. M. JOSEPH, JUDGE

kbk.